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Xio Interactive Inc.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TETRIS HOLDING, LLC and THE
TETRIS COMPANY, LLC,

Plaintiffs,

-against-

XIO INTERACTIVE INC.,

Defendant.

Civil Action No. 3:09-CV-6115 (FLW) (DEA)

Honorable Freda L. Wolfson, U.S.D.J.
Honorable Douglas E. Alpert, U.S.M.J.

**[PROPOSED] ORDER GRANTING
XIO INTERACTIVE INC.'S
MOTION FOR SUMMARY JUDGMENT
OF NON-INFRINGEMENT**

This matter having come before the Court on the motion of Defendant Xio Interactive Inc. for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting Summary Judgment of Non-Infringement to Defendant and dismissing all claims of Plaintiffs Tetris Holding , LLC and The Tetris Company, LLC:

IT IS HEREBY ORDERED that, for the reasons set forth in Defendant's moving papers and stated on the record, Defendant's Motion for Summary Judgment of Non-Infringement is granted. Plaintiffs' action is hereby *dismissed* pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: _____

Honorable Freda L. Wolfson
United States District Judge

CERTIFICATE OF SERVICE

I certify that on September 30, 2011, I caused a copy of defendant's motion to seal certain documents to be served upon plaintiffs' counsel of record via the Court's electronic filing system.

/s/ Donald A. Robinson

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